

DERRICK D. BOGER,)
)
 Petitioner,)
)
 v.) 1:17CV433
)
 MARTY GALLOWAY, et al.,)
)
 Respondents.)

On May 18, 2017, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 3, 4.) Petitioner timely filed objections (Doc. 5) to the Recommendation.

This court has appropriately reviewed the portions of the Recommendation to which objections were made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that this action be, and is hereby, dismissed without prejudice to Petitioner filing a new petition, correcting the defects set out in the Order and Recommendation, and filing the petition in the correct district. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 6th day of June, 2017.

William L. Ostun, Jr.
United States District Judge